UNITED STATES PATENT AND TRADEMARK OFFICE

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10/774,576	02/10/2004	Seppo Vesterinen	088245-0388	8892

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EXAMINER
KING, SIMON

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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE _3_ MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1) ☒ Responsive to communication(s) filed on _07 October 2009_.
2a) ☐ This action is **FINAL**.   2b) ☒ This action is non-final.
3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4) ☒ Claim(s) _1-3,5-17 and 19-32_ is/are pending in the application.
    4a) Of the above claim(s) _____ is/are withdrawn from consideration.
5) ☐ Claim(s) _____ is/are allowed.
6) ☒ Claim(s) _1-3,5-17 and 19-32_ is/are rejected.
7) ☐ Claim(s) _____ is/are objected to.
8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9) ☐ The specification is objected to by the Examiner.
10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
    a) ☐ All b) ☐ Some * c) ☐ None of:
      1. ☐ Certified copies of the priority documents have been received.
      2. ☐ Certified copies of the priority documents have been received in Application No. _____.
      3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO/SB/08)
    Paper No(s)/Mail Date _____.

4) ☐ Interview Summary (PTO-413)
    Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____.

DETAILED ACTION

Claim Rejections - 35 USC § 102

1.   The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the

basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2.   Claims 1-3, 5-17, and 19-32 rejected under 35 U.S.C. 102(e) as being anticipated by

Kitahama et al. (US 2004/0151135 A1).

As for claim 1, Kitahama discloses a method for configuring addresses in a packet

switched data communication system (title), the method comprising: configuring at a network

element a temporary address ([0004-0005]) for an interface of a sub-element (Fig.1: Home

agent 10) of the network element (Fig.1: Firewall device 20), the network element comprising a

control module (Fig.3: Firewall Process 221) and the sub-element (Fig.3: Home agent 10),

wherein the temporary address is valid in an internal network associated with the network

element ([0046-0050]); retrieving an identifier of the network element from the control module

([0051-0054]); and defining a second address for the interface of the sub-element based on the

retrieved identifier of the network element and the temporary address ([0056-0058]), wherein

the second address is valid in an external network with which the network element

communicates [0059-0060]).

As for claims 2 and 16, Kitahama discloses the method and network element, wherein the

temporary address is a local link layer address for the interface of the sub-element ([0040]: MAC

address)

As for claims 3 and 17, Kitahama discloses the method and network element, wherein the

temporary address for the interface of the sub-element is configured based on the position of

the sub-element in the network element ([0037]).

As for claims 5 and 19, Kitahama discloses the method and network element, wherein the

control module is configured to access the identifier of the network element without

communicating with other network elements ([0058]).

As for claims 6 and 20, Kitahama discloses the method and network element, wherein the

control module is configured to store the identifier of the network element in a memory of the

control module (Fig.3).

As for claims 7 and 21, Kitahama discloses the method and network element, further

comprising verifying the uniqueness of the second address using a duplicate address detection

process ([0061]).

As for claims 8 and 22, Kitahama discloses the method and network element, wherein the

identifier of the network element is retrieved from the control module using the temporary

address as a unique address to carry out an automatic address resolution procedure locally in

the network element ([0074]: IPv6, well known in the art that IPv6 provides autoconfig on IP

address).

As for claims 9 and 23, Kitahama discloses the method and network element, wherein the

defined second address comprises a network layer address for the interface of the sub-element

([0004]: IPv6).

As for claims 10 and 24, Kitahama discloses the method and network element, further

comprising blocking, inside the network element, all data packets that do not contain the

identifier of the network element ([Fig.3]).

As for claims 11, Kitahama discloses the method, further comprising enabling the interface of the sub-element for network element external communication after the second address for the interface of the sub-element is defined ([0063]).

As for claims 12 and 25, Kitahama discloses the method and network element, further comprising retrieving a network portion identifying a logical network including the network portion with the second address of the interface of the sub-element ([0062]).

As for claim13, Kitahama discloses the method, wherein the logical network is a layer 2 switched local area network with at least two network elements (Fig.1).

As for claim 14, Kitahama discloses a computer program product comprising program code for performing the method of claim 1, the program code embodied on a computer-readable memory and executable by a processor of the network element ([0014]).

As for claim 15, Kitahama discloses a network element comprising: a sub-element; a control module; a processor; and a computer-readable memory operably coupled to the processor, the computer-readable memory comprising instructions that, if execution by the processor, cause the network element to configure a temporary address for an interface of the sub-element, wherein the temporary address is valid in an internal network associated with the network element; retrieve an identifier of the network element from the control module; and define a second address for the interface of the sub-element based on the retrieved identifier of the network element and the temporary address, wherein the second address is valid in an external network with which the network element communicates (see rejection for claim 1).

As for claims 26 and 32, Kitahama discloses a network element and communication system, wherein the local link layer address is based on a 48-bit media access control identifier format ([0048]: MAC [0074]: IPv6, well known in the art that IPv6 uses 48-bit MAC).

As for claims 27 and 31, Kitahama discloses a network element and communication system, wherein the network layer address is one of a link-local Internet Protocol version 6 address based on an EUI-64 identifier and an Internet Protocol version 4 address using a dynamic host configuration protocol ([0048]: MAC [0074]: IPv6, well known in the art that IPv6 uses 48-bit MAC: [0005]).

As for claim 28, Kitahama discloses a network element, wherein the network element is a transceiver (Fig.3: firewall device).

As for claim 29, Kitahama discloses a communication system comprising: a logical network comprising at least two network elements, a network element of the at least two network elements comprising at least one sub-element and a control module; a configuring means for configuring a temporary address for an interface of a sub-element of the at least one sub-element, wherein the temporary address is valid in an internal network associated with the network element, and defining an address for the interface of the sub-element based on an identifier of the network element retrieved by a retrieving means from the control module and the temporary address, wherein the second address is valid in an external network with which the network element communicates (see rejection for claim 1).

As for claim 30, Kitahama discloses a communication system, wherein the defined address further comprises a network portion identifying the logical network (see rejection for claim 12).

Response to Arguments

3.   Applicant's arguments with respect to claim 1-3, 5-17, and 19-32 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to SIMON KING whose telephone number is (571)270-1950. The examiner can normally be reached on 8:00 - 5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, FAN TSANG can be reached on (571)272-7547. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

15 January 2010   /SIMON KING/
                                                        Examiner, Art Unit 2614
/Fan Tsang/
Supervisory Patent Examiner, Art Unit 2614